

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESale PRICE LITIGATION	) ) MDL No. 1456 ) Master File No. 01-12257-PBS ) Subcategory Case No. 03-10643-PBS )
THIS DOCUMENT RELATES TO:  <i>The City of New York, et. al.</i> v. <i>Abbott Laboratories, et al.</i>	) ) Judge Patti B. Saris ) ) ) ) ) )

**[REVISED] STIPULATION FOR SCHEDULING WITH RESPECT TO  
GLAXOSMITHKLINE'S MOTION FOR PARTIAL SUMMARY JUDGMENT**

Plaintiffs, the City of New York, et al. in the above-captioned action and defendant SmithKline Beecham Corp., d/b/a GlaxoSmithKline ("GSK") hereby stipulate and agree to the following revised schedule with respect to GSK's Motion For Partial Summary Judgment In The New York Counties Cases.

This stipulation replaces the original Stipulation for Scheduling With Respect to GlaxoSmithKline's Motion for Partial Summary Judgment, dated December 23, 2008.

The parties agree to the following:

1. Plaintiffs' Opposition to the Motion for Partial Summary Judgment shall be due on or before Wednesday, February 4, 2009.
2. Defendant's Reply in Support of the Motion For Partial Summary Judgment shall be due on or before Wednesday, February 18, 2009.

3. Plaintiffs' Sur-Reply to the Motion For Partial Summary Judgment shall be due on or before Wednesday, March 4, 2009.

Dated: January 29, 2008

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DECHERT LLP

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*("GSK")*

SO ORDERED:

\_\_\_\_\_  
PATTI B. SARIS  
U.S. DISTRICT COURT JUDGE

Date: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I, Aaron Hovan, hereby certify that I caused a true and correct copy of the foregoing to be served upon all counsel of record via electronic service, pursuant to Case Management Order No. 2, by sending a copy to LexisNexis File & Serve for posting to all parties.

Dated: January 29, 2009

/s/ Aaron Hovan  
KIRBY McINERNEY LLP